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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,175	02/10/2005	Koichi Goto	SONY JP 3.3-396	2452

530 7590 11/17/2010

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EXAMINER	
EKPO, NNENNA NGOZI	
ART UNIT	PAPER NUMBER
2425	

MAIL DATE	DELIVERY MODE
11/17/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/524,175	GOTO ET AL.	
	Examiner	Art Unit	
	NNENNA EKPO	2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 March 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,8,9,11,13,16-18 and 20* is/are pending in the application.

4a) Of the above claim(s) *7,10,12,14,15 and 19* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,8,9,11,13,16-18 and 20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/05/2010 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-6, 8, 9, 11, 13, 16-18 and 20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims **1-5, 11, 13 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Margulis (U.S. Patent No. 6,263,503) in view of Naka et al. (U.S. Patent No. 6,707,503), Callway (U.S. Publication No. 2003/0202006), Maze et al. (U.S. Patent No. 5,557,338) and Daniels (U.S. Patent No. 7,437,751).

Regarding **claims 1 and 13**, Margulis discloses a receiving apparatus, comprising:

a television receiving apparatus (see fig 1 (156)) operable to receive and monitor both broadcast signals (see col.3, lines 61-64) and an streaming data distributed over an Internet (see col. 4, lines 44-55); the television receiving apparatus having a primary display (see col. 4, lines 1-12 and fig 1 (primary TV, 152)); and

a secondary display apparatus (see fig 1 (Remote TV, 158)) operable to communicate with the television receiving apparatus (see fig 1 (Wireless Base Station, 156)) (see col. 5, lines 15-19), wherein,

when the receiving apparatus (see fig 5, wireless base station (156)) receives a broadcast signal (see fig 5, Analog Video (514)) (see col. 4, lines 54-col. 5, line 22, col. 7, lines 28-31), is displayed on the primary display and is sent to the secondary display apparatus in a digital compression format (see col. 7, lines 54-64),

when the receiving apparatus (see fig 5, wireless base station (156)) receives a digital broadcast signal (see fig 5, Digital A/V (536)) (see col. 7, lines 28-31), the digital broadcast signal is decoded (see col. 8, lines 22-30, the digital signal involves decoding/decompressing the original data into a raw intermediate format), and the decoded signal is encoded again (see fig 5 (transcoding, 538)) (see col. 8, lines 22-30, transcoding involves re-encoding the decoded signal into the targeted format), and

the HD digital broadcast signal (high-frequency digital video bitstream) is down-converted to a standard definition (SD) digital broadcast signal (bit rate that is more

appropriate for economical transmission technique) before being sent to the secondary display (see col. 7, lines 43-52, the system down converts high-frequency digital video bitstream to a bit rate that is more appropriate for economical transmission technique and then transmits the down converted signal to a remote TV which is equivalent to the secondary display).

However, Margulis fails to specifically disclose a video portion of the analog broadcast signal is displayed on the primary display, displaying the digital signal on the primary display and sent to the secondary display and the streaming data is sent to the secondary display apparatus without decoding in the television receiving apparatus and receiving apparatus receives streaming data from the Internet.

Naka et al. discloses a video portion of the analog broadcast signal is displayed on the primary display (CRT display) (see col. 18, lines 41-42), displaying the digital signal on the display and sent to the secondary display (LCD display) (see col. 18, lines 42-45, the displays have the capability of viewing both analog and digital signals on different display).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Margulis's invention with the above mentioned limitation as taught by Naka et al. for the advantage of monitoring programs on different displays.

However, Margulis and Naka et al. fails to specifically disclose the streaming data is sent to the secondary display apparatus without decoding in the television receiving apparatus and receiving apparatus receives streaming data from the Internet.

Callway discloses the streaming data is sent to the secondary display apparatus without decoding in the television receiving apparatus (see paragraph 0041) and

receiving apparatus receives streaming data from the Internet (see paragraph 0014, lines 22-29).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Margulis and Naka et al.'s invention with the above mentioned limitation as taught by Callway for the advantage of preventing contents from being copied.

However, Margulis, Naka et al. and Callway fails to specifically disclose wherein the television receiving apparatus includes at least two tuners and a controller for controlling station selecting states of the tuners; wherein the secondary display is operable to display television broadcast contents, contents obtained through the internet and a list of contents which can be selected for display, and controlling in response to a command generated in the secondary display.

Maze et al. discloses wherein the television receiving apparatus includes at least two tuners and a controller for controlling station selecting states of the tuners (see col. 3, lines 16-37 and fig 1 (124, 126, 180)).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Margulis, Naka et al. and Callway's invention with the above mentioned limitation as taught by Maze et al. for the advantage of merely switching the signals by activating switches SW2 and SW3 of fig. 1.

However, Margulis, Naka et al., Callway and Maze et al. fails to specifically disclose wherein the secondary display is operable to display on a single screen thereof a plurality of index images each representative of a captured image of a respective program so as to enable the index images of a plurality of different programs to be displayed on the single screen of the secondary display and contents obtained from television broadcast and the internet.

Daniels discloses wherein the secondary display is operable to display on a single screen (television or monitor shown in fig. 14) thereof a plurality of index images each representative of a captured image of a respective program (ESPN, SportsNET, AMC etc.) so as to enable the index images of a plurality of different programs to be displayed on the single screen of the secondary display and contents obtained from television broadcast (television program) and the internet (on-line web site) (see col. 24, lines 29-col. 25, line 2 and fig. 14).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to the systems of modify Margulis, Naka et al., Callway and Maze et al. to include wherein the secondary display is operable to display on a single screen thereof a plurality of index images each representative of a captured image of a respective program so as to enable the index images of a plurality of different programs to be displayed on the single screen of the secondary display and contents obtained from television broadcast and the internet as taught by Daniels for the advantage of providing a viewer with the ability to simply and conveniently determine available channels to preview and watch.

Regarding **claim 2**, Margulis, Naka et al., Callway, Maze et al. and Daniels discloses everything claimed as applied above (*see claim 1*). Margulis discloses a receiving apparatus (see fig 1 (wireless base station, 156)) and signal transmitted to the secondary display (remote TV, 158) from the television receiving apparatus (see col. 7, lines 35-43).

Callway discloses encryption for transmission (see paragraph 0037, lines 17-20) and reception (see paragraph 0033, lines 3-5) and encryption for contents protection (see paragraph 0048, lines 14-17).

Regarding **claim 3**, Margulis, Naka et al., Callway, Maze et al. and Dainels discloses everything claimed as applied above (*see claim 1*). Margulis discloses a receiving apparatus, wherein the television receiving apparatus (see fig 1 (156)) is operable to obtain information associated with the received broadcast signals (see fig 5, lines 1-5),

the primary display is operable to display a broadcast program based on the received broadcast signals (see col. 5, lines 8-14);

the television receiving apparatus (see fig 1 (wireless base station, 156)) is further operable to send (transmits) information associated with the broadcast program to the secondary display (see col. 5, lines 15-19); and

the secondary display is operable to display (viewing) the information associated with the broadcast program (see col. 5, lines 15-19).

Regarding **claim 4**, Margulis, Naka et al., Callway, Maze et al. and Daniels discloses everything claimed as applied above (*see claim 1*). Margulis discloses a receiving apparatus (see fig 1 (wireless base station, 156)), wherein the secondary display (remote TV, 158) is operable to display television broadcast contents (see col. 5, lines 15-19), contents obtained through the Internet (see col. 10, lines 23-28) and a display for a commander to remote-control the television receiving apparatus (see col. 5, lines 57-col. 4, lines 21 and fig 3), and a remote control signal is generated based on the display for the commander (see col. 5, lines 66-col. 4, lines 13 and fig 3).

Regarding **claim 5**, Margulis, Naka et al., Callway, Maze et al. and Daniels discloses everything claimed as applied above (*see claim 4*). Margulis discloses a receiving apparatus (see fig 1 (wireless base station, 156)) and display for the commander (see fig 3).

Daniels discloses download through internet data for constructing the display (see col. 5, lines 1-21).

Regarding **claim 11**, Margulis, Naka et al., Callway, Maze et al. and Daniels discloses everything claimed as applied above (*see claim 1*). Margulis discloses a receiving apparatus (see fig 1 (wireless base station, 156)), streaming data from the internet (see col. 4, lines 44-55), a primary display (fig 1 (152)) and secondary display (fig 1 (158)).

Callway discloses generating a command to transfer data (see paragraph 0028).

Regarding **claim 16**, Margulis, Naka et al., Callway, Maze et al. and Daniels discloses everything claimed as applied above (*see claim 1*). Callway discloses the receiving apparatus (fig 2 (201)) further comprising means for encrypting a content signal by use of a first type of encryption process (fig 2 (211, 227, 228, 229, 234)) and means for performing an encrypting process on a transmission path (fig 2 (205)) by use of a second type of encryption process (fig 2 (250, 259, 260, 263)) which is different from the first type of encryption process (see fig 2, paragraphs 0020-0021, 0023).

4. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Margulis (U.S. Patent No. 6,263,503), Naka et al. (U.S. Patent No. 6,707,503), Callway (U.S. Publication No. 2003/0202006), Maze et al. (U.S. Patent No. 5,557,338) and Daniels (U.S. Patent No. 7,437,751) as applied to *claim 1* above, and further in view of Huang et al. (U.S. Patent No. 6,437,836).

Regarding **claim 8**, Margulis, Naka et al., Callway, Maze et al. and Daniels discloses everything claimed as applied above (*see claim 1*). Margulis discloses a receiving apparatus wherein the secondary display is operable to display a display for a commander to remote-control the television receiving apparatus (see col. 5, lines 57-col. 4, lines 21 and fig 3).

However, Margulis, Naka et al., Callway, Maze et al. and Daniels are silent on downloading through the Internet data for constructing both the display for the commander and a display screen of the list of the contents which can be selected for display.

Huang et al. discloses downloading through the Internet data for constructing both the display for the commander (see abstract, lines 21-29) and a display screen of the list of the contents which can be selected for display (see col. 8, lines 1-31 and figs 4-5).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the systems and methods of Margulis, Naka et al., Callway, Maze et al. and Daniels to include downloading through the Internet data for constructing both the display for the commander and a display screen of the list of the contents which can be selected for display as taught by Huang et al. for the advantage of displaying information and transmitting codes to a remote receiver device to cause the device to tune to a selected program.

5. **Claims 6 and 9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Margulis (U.S. Patent No. 6,263,503), Naka et al. (U.S. Patent No. 6,707,503), Callway (U.S. Publication No. 2003/0202006), Maze et al. (U.S. Patent No. 5,557,338) and Daniels (U.S. Patent No. 7,437,751) as applied to *claims 1 and 4* above, and further in view of Miyazaki et al. (U.S. Publication No. 2003/0187885).

Regarding **claim 6**, Margulis, Naka et al., Callway, Maze et al. and Daniels discloses everything claimed as applied above (*see claim 4*). Margulis discloses a receiving apparatus (see fig 1 (wireless base station, 156)) and display for the commander (see fig 3).

However, Margulis, Naka et al., Callway, Maze et al. and Daniels fail to specifically disclose data to install through a recording medium.

Miyazaki et al. discloses data to install through a recording medium (see paragraph 0031, lines 6-9).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the systems and methods of Margulis, Naka et al., Callway, Maze et al. and Daniel to include television apparatus is operable to install through a recording medium data for constructing the display for the commander as taught by Miyazaki et al. for the advantage of recording programs.

Regarding **claim 9**, Margulis, Naka et al., Callway, Maze et al. and Daniels discloses everything claimed as applied above (*see claim 7*). Margulis discloses a receiving apparatus wherein the secondary display is operable to display a display for a commander to remote-control the television receiving apparatus (see col. 5, lines 57-col. 4, lines 21 and fig 3).

Daniels discloses a display screen of the list of the contents which can be selected for display (see fig. 14).

However, Margulis, Naka et al., Callway, Maze et al. and Daniels fail to specifically disclose data to install through a recording medium.

Miyazaki et al. discloses data to install through a recording medium (see paragraph 0031, lines 6-9).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the systems and methods of Margulis, Naka et al., Callway, Maze et al. and Daniel to include television apparatus is operable to install through a recording medium data for constructing the display for the commander as taught by Miyazaki et al. for the advantage of recording programs.

6. **Claims 17 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Margulis (U.S. Patent No. 6,263,503), Naka et al. (U.S. Patent No. 6,707,503), Callway (U.S. Publication No. 2003/0202006), Maze et al. (U.S. Patent No. 5,557,338) and Daniels (U.S. Patent No. 7,437,751) as applied to *claims 1 and 13* above, and further in view of Lan (U.S. Patent No. 6,717,622).

Regarding **claims 17 and 18** Margulis, Naka et al., Callway, Maze et al. and Daniels discloses everything claimed as applied above (*see claims 1 and 13*).

However, Margulis, Naka et al., Callway, Maze et al. and Daniels fail to specifically disclose the SD digital broadcast signal is a 480I signal.

Lan discloses the SD digital broadcast signal is a 480I signal (see col. 3, lines 50-52).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the systems and methods of Margulis, Naka et al., Callway, Maze et al. and Daniels to include the SD digital broadcast signal is a 480I signal as taught by Lan for the advantage of de-interlacing interlaced video for upscaling to HD formats, displaying on progressive displays etc.

7. **Claim 20** is rejected under 35 U.S.C. 103(a) as being unpatentable over Margulis (U.S. Patent No. 6,263,503) in view of Daniels (U.S. Patent No. 7,437,751) and Allport (U.S. Patent No. 6,104,334).

Margulis discloses a receiving system comprising:

a television receiving apparatus (see fig 1 (156)) operable to receive and monitor both broadcast signals (see col.3, lines 61-64) and streaming data distributed over an Internet (see col. 4, lines 44-55), the television receiving apparatus having a media receiver for receiving and transmitting to a primary display apparatus the broadcast signals and streaming data distributed over the Internet (see col. 4, lines 1-12 and fig 1 (primary TV, 152)); and

a secondary display apparatus (see fig 1 (Remote TV, 158)) operable to communicate with the media receiver (see fig 1 (Wireless Base Station, 156)) (see col. 5, lines 15-19).

In an analogous art, Daniels discloses wherein the secondary display is operable to display on a single screen (television or monitor shown in fig. 14) thereof a plurality of index images each representative of a captured image of a respective program (ESPN,

SportsNET, AMC etc.) so as to enable the index images of a plurality of different programs to be displayed on the single screen of the secondary display and contents obtained from television broadcast (television program) and the internet (on-line web site) (see col. 24, lines 29-col. 25, line 2 and fig. 14).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to the system of modify Margulis to include wherein the secondary display is operable to display on a single screen thereof a plurality of index images each representative of a captured image of a respective program so as to enable the index images of a plurality of different programs to be displayed on the single screen of the secondary display and contents obtained from television broadcast and the internet as taught by Daniels for the advantage of providing a viewer with the ability to simply and conveniently determine available channels to preview and watch.

In an analogous art, Allport discloses when a user chooses an index image through the secondary display apparatus, an instruction signal of choosing is transmitted to said media receiver and when said instruction signal of choosing is transmitted from said media receiver to said primary display apparatus, said primary display apparatus monitors the content related to said index image according to the instruction signal of choosing transmitted by said media receiver (see col. 10, lines 18-26, col. 21, line 42-58).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to the systems of modify Margulis and Daniel to include when a user chooses an index image through the secondary display apparatus,

an instruction signal of choosing is transmitted to said media receiver and when said instruction signal of choosing is transmitted from said media receiver to said primary display apparatus, said primary display apparatus monitors the content related to said index image according to the instruction signal of choosing transmitted by said media receiver as taught by Allport for the advantage of monitoring users viewing contents.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NNENNA EKPO whose telephone number is (571)270-1663. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Patent Examiner, Art Unit 2425
November 10, 2010.

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